

David Stebbins (pro se Plaintiff) 123 W. Ridge Ave., APT D, Harrison, AR 72601  
(870) 212-4947 acerthorn@yahoo.com

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 3:24-cv-03727-LB

JOHN DOE, d.b.a. CREETOSIS

DEFENDANTS

**NOTICE OF APPEAL**

Comes now, pro se Plaintiff David Stebbins, who hereby submits the following Notice of Appeal in the above-styled action.

1. The Duty Judge dismissed the case for absolutely no reason. He said that the case was “frivolous and meritless,” but provided absolutely no details whatsoever to support that claim.
2. The Duty Judge states that the current Complaint “repeats the same types of claims that have been repeatedly dismissed in that order and elsewhere.” But it very clearly does not. If anything, it repeats the same claims that *have been allowed to proceed* elsewhere, such as in Case 3:24-cv-00398-LJC (Stebbins v. Garcia Baz), where the defendant played 100% of my original videos while nominally commenting on them, thereby creating an extremely weak case for fair use.
3. To the extent the instant case may overlap with matters that were previously dismissed in other cases, there are clearly distinguishable differences here. For example, regarding the libel claims, I explained in Dkt. 1-1 that “Creetosis didn't say 'it seems' I just want to punish him for criticizing me; he said I "certainly" just want to punish him for criticizing me. Even by Judge Cisneros's standard, that is still an assertion of cast-iron objective fact.”
4. Therefore, the case should have been allowed to proceed.

So notified on this, the 13<sup>th</sup> day of August, 2024.

/s/ David Stebbins  
David Stebbins